

# RICHARD CROKER ATTACKS FRANK MOSS OF PHILADELPHIA AGAIN FOR HIS ALLEGED CONFESSION OF A PART IN THE RAMAPO WATER RIGHT CASE. MOSSES' REPLY. CROKER ATTACKS MOSS, WHO CALLS IT AN ATTEMPT TO INCITE VIOLENCE.

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CROKER'S CHARGES.

MOSS'S REPLY.

**M**R. CROKER gave out a statement yesterday to the reporters who were present at the Ramapo inquiry. He prefaced the action by remarking very significantly to Mr. Moss that he was about to expose his true character.

The paper handed out by Mr. Croker was in the form of a typewritten statement and read as follows:

The following is an extract from the opinions of the Justices of the General Term, First Department, in the case of the People vs. Schooley, reported in the eighty-ninth Hunts Reports, pages 386, 389, 387 and 390.

Part 1. In December, 1890, four bonds of the St. Louis and Iron Mountain Railroad Company, of the par value of \$1,000 each, the property of Ellen M. Croker, were stolen from her possession in Washington, D. C.

In August of the following year these bonds, falsified by the obliteration of certain endorsements thereon at the time of the larceny, and further falsified by the obliteration of the true numbers on the bonds and coupons attached, and the substitution of other numbers, were in the possession of the defendant, and disposed of by him under circumstances which the people claimed, and the jury have found, established knowledge on his part that they had been stolen.

One of the bonds the defendant sold to the firm of James Walsh & Son about August 10, 1891, for which he received the check of the firm for \$1,000.

One of the firm went with him to the bank upon which the check was drawn, where it was cashed, after which they returned to the office of Walsh & Son, and defendant handed back to the firm \$135, taking with him \$965, which he said was for a client of his by the name of Peterson, who owned the bond.

Peterson was not present upon the trial, nor was his absence satisfactorily accounted for.

**Never Saw Peterson Before.**

One of the notaries, Mr. Frank Moss, testified that this defendant came to him with another man, whom he introduced as Joel Peterson, and requested him to witness the signature and take Peterson's acknowledgment; that he had never seen the man called Peterson before, but did know the defendant, and that, on the faith of the introduction, he witnessed the signature and took the acknowledgment.

His testimony, so far as it related to the signing of the paper, which he witnessed and acknowledged, was as follows:

Q. It is your best recollection that that paper was not signed by your present? A. I think it was not. I think I asked this man if he desired me to witness his signature, which I understand to be the proper form, and I did so at the time.

By the Court—You witnessed the signature, but you had not seen it signed? A. No; I wouldn't say that.

By a juror—Mr. Moss, do you say that you saw this man Peterson sign that? A. No; I didn't say that. I am not sure of that.

It is clear that Moss's testimony did not establish either that the alleged Peterson signed the paper, or that he acknowledged it, or that defendant did not.

Van Brunt, P. J.: I concur in the conclusion arrived at by Mr. Justice Parker, but it does not seem to me that the alleged introduction of the notaries to the powers of attorney offered in evidence in this case should pass without notice. In fact, they should be proceeded against criminally.

**Two Powers of Attorney Involved.**

Two powers of attorney were offered in evidence, claiming to have been executed on the 14th and the 20th of August, respectively, in which each notary certified that the person purporting to execute the power of attorney was personally known to such notary, and the evidence, as given by the notaries, shows that they had never seen such a person prior to the time of the alleged acknowledgment, and that the only evidence of identity was an introduction by the prisoner, who, to at least one of the notaries, was of even personally known.

It would appear from the record that it had been the habit of at least one of these notaries to certify to personal knowledge of the identity of a person executing a paper from an introduction at the time of execution.

Such practice is a clear violation of the provisions of the statute and renders the notary liable to prosecution.

Many other cases might be cited, establishing the proposition that mere personal introduction at the time of the execution of an instrument is not evidence which the statute requires, and that it is a violation of duty upon the part of an officer, making him liable to punishment, to take an acknowledgment under such circumstances.

might correct a child who had been a little naughty. Nobody tried to stop him. The members of the committee looked surprised.

Mr. Croker, who is interested in the Ramapo Water Company, was sitting in the front row of the audience. When Mr. Croker got through talking Mr. Moss proceeded:

**Knows No One Interested.**

Q. Mr. Croker, have you done anything or do you intend to do anything to advise these people about their conduct in relation to the Ramapo contract? A. I shall do it in my own way, and I don't think I shall tell you.

Q. Do you intend to do it, Mr. Croker? A. It is none of your business.

Q. Have you any direct understanding with political leaders or officials in New York? Do you know of any Republican who is interested in the Ramapo Water Company? A. Not that I know of.

Q. Have you any communication with any one upon the subject of the proposed Ramapo contract? A. I have had communications with any one upon the subject of the proposed Ramapo contract.

Q. Did you pay for your stock in the automobile company? A. You will have to ask that.

Q. How much stock of the elevated road did you pay for? A. That's my own business.

Q. Did you pay for any stock in the Brooklyn Heights Railroad? A. That's my own private affair.

**Mr. Croker is Amused.**

Q. You realize that you are such a public figure, and that you are being talked about? A. You are trying to bully me by making such speeches.

Mr. Croker laughed again.

Q. Mr. Croker, did you sell Manhattan stock short? A. I have conversations with a Mr. Friedman.

Q. You have conversations with a Mr. Friedman? A. I have conversations with a Mr. Friedman.

Q. Works for your company? A. Just as you are working for yours. Every man in New York works more or less for his pocket.

Q. You don't do it in a respectable way. The opinion of the Chief Justice of the Appellate Division here in New York is that you are not doing it in a respectable way.

Q. After you were served with your first subpoena, did you talk with a Judge of the Supreme Court about that subpoena? A. No.

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humor and went out of court with a broad smile on his face.

**THE MAYOR DEFIANT ON RAMAPO QUESTION.**

**M**AYOR VAN WYCK was in an ugly humor. He had read the frequent comment of Frank Moss on the need of shortening the Mayor's term. On Wednesday he saw in the Journal Mr. Moss's threat of appealing to the Governor to remove him if he didn't remove his appointees who voted for the Ramapo contract.

He felt that his turn to reply had come. He sat in the witness chair, with his silver-headed cane across his knees. From the outset he was short and sharp. A little later he developed a beligerent mood that kept things at a boiling point. Mr. Croker sat near by, grimly enjoying the situation. Mr. Moss approached his task in an apprehensive spirit.

Q. When did you first know that the Ramapo Company was making proposals to the city of New York for the water supply? A. There were three or four hearings before me.

Q. Did you understand that those who appeared before you were in favor of the Ramapo Company? A. Well, I did not discuss it fully. The understanding was that they were in favor of it.

Q. Did the undersigned understand that the water was to be taken from the North River and that the water should be sold to the city? A. Yes.

Q. Then you thought that this plan that these gentlemen favored and that you became interested in was a plan to furnish the city? A. Your question expresses facts.

This was the first warning note of danger. The Mayor's eyes began to gleam, and the more soft and affable Mr. Moss became the fiercer grew his humor.

Q. Did you consider it an important subject? A. Why, certainly.

Q. Did you ever talk to Commissioner Dalton about the contract? A. Never.

Q. Did you ever talk to President Hoffman? A. I will state to you that my way of running the government is not to talk to Commissioners.

I will just say that.

Q. You have thought it best for you as Mayor not to attempt to advise or influence the acts of the Commissioners, and not to advise them when they come for advice. You leave it to them to work it out the best way they know, and you are responsible to your appointees and they are responsible to you? A. They are responsible to the city.

Q. But you are the executive of the law? A. You cannot refer the first six months.

Q. After you have examined the contract? A. Well, I say, it is such a feeble attempt as to be really unworthy of any attention at all. I didn't even look at the paper in the courtroom. It is a surprising thing that a man who pretends to cloak himself with a certain dignity like Croker should descend to such a petty attack, the absurdity of which is apparent on its face.

"One thing about it, however, is significant. Such a step by Croker is a plain intimation to the rank and file of Tammany that any sort of violence or attack meted out to me will meet with the untimely application of the punishment of its leaders.

**Declares He Is Not Frightened.**

"However, such tactics will not frighten me or lead me to pause a moment in doing my duty in carrying on this investigation to the end, disavowable as my position is. I propose to go ahead undisturbed, no matter what the outcome may be. For the enemy I may create as its attendant consequence to myself I give no heed.

"Mr. Croker's attack, however, shows one thing. He is frightened to death. He sought a diversion, and the spectators, he has tried to cloud up the waters so as to escape observation himself.

"I have given Croker, Van Wyck and McLaughlin each a chance to come out and declare themselves against this Ramapo job and they have all refused to put themselves on record as taking the attitude, instead, they cover to my pleadings for the truth in this city, a loud attack on me.

"The case that Mr. Croker brings up is nothing new. It was a matter of record when I was counsel for the Society for the Prevention of Crime. I was troubling them many people then, and if there was anything in this charge why didn't they attack me at that time? When the case came up for a hearing on an appeal, too, all the facts now brought out by Croker were known and upon, but no criminal action was begun.

"The fact is I did only what thousands of notaries do every day. I witnessed their man Peter Croker's signature and took his acknowledgment without ever having seen him before. I did this, however, because I saw Mr. Schooley, who accompanied Peterson, as a lawyer whom I had seen practicing at the bar for twenty-five years, or, at least, ever since I had begun to practice myself.

**He Depended on Schooley.**

"As I know, Schooley is a perfectly respectable man. He introduced the man with him to me as Peterson. How do any of us know the identity of another except through the fact that we are introduced to him by a friend or acquaintance?

"I think the man in hand I know nothing. It was a mere case of certifying to the signature and to the identity of the persons affixing them. I knew Schooley, who answered for Peterson. Ask any notary if he would have acted differently under the circumstances.

"I think the case was tried before Judge Fitzgerald. Colonel John R. Fellows was the District Attorney at the time, and I think Mr. O'Hara, his assistant, represented the people. I do not recall at this moment the name of the other party. If I remember rightly he was not even a lawyer, but merely some lawyer's clerk.

"I never heard any comment on the case at the time, and was not even called to testify when the case went up for appeal. It was merely an unnecessary case for me that Schooley happened to come to me under these peculiar circumstances. I don't know where Mr. Schooley is to-day, but I understand that he is in prison somewhere.

"To-morrow I shall go on with the Ramapo inquiry as usual, and shall not make any categorical reply to this weak attack that Mr. Croker sees fit to make now that he finds himself in a hole and squinting under the pricks of the Ramapo inquiry.

"I have not seen any one else about his charges, and have made no statement in regard to them for publication. I can only add that they are causing me no loss of sleep."

**LAUTERBACH TELLS SIGNIFICANT FACTS.**

**E**DWARD LAUTERBACH was called. The failure of his attempt on Wednesday to sidetrack the whole inquiry by getting the committee to accept a list of the stockholders with the proviso that it be kept from the public had not entirely disarmed him. He is a most resourceful man. First he tried to belabor the subject. To do this he started to make a long speech. He declared that he was there to tell the whole truth and that he had nothing to conceal and that he would state the facts no matter what the outcome was.

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Hugh McLaughlin, Who is Ill, Declining to Answer Questions.

to buy some Consolidated Ice stock, and we both were sorry.

Q. Did you ever talk with Mr. Croker about the Ramapo contract? A. Never, but I have talked with him.

Q. Ever been a party to any political arrangement with him? A. No, I have never been a party to any political arrangement with him.

Q. Mr. Lauterbach will be called again on next Tuesday, when he will be asked to surrender the list of stockholders.

**RAMAPO OFFERED STOCK FOR INFLUENCE.**

**E**DWARD M. GROUT, president of the borough of Brooklyn, told the committee that Brooklyn is against the Ramapo job. He said he heretofore had refused to sign any contract for a private supply of water. He was opposed to franchise jobbing, and wanted the city to own its own supply.

"In 1898," he said, "the Ramapo matter came before the Board of Public Improvements, and everything connected with it was discussed except the cost of water. The company had been decided to pay for final settlement I was not surprised, for I always suspected that it would be brought up by time. I asked Mr. Dutcher questions in political life are connected with the company. I have heard rumors, I am opposed to contracts with private companies, because they are likely to lead to fraud and corruption. During the meeting of the Board in 1898, when the matter was discussed, I asked Mr. Dutcher questions until the president of the Board stopped me. Mr. Lauterbach had a stockholder present, and I have asked him to bring a copy of the proceedings.

It was common report in Brooklyn that the city had entered into a contract with the company. I asked Mr. Dutcher questions until the president of the Board stopped me. Mr. Lauterbach had a stockholder present, and I have asked him to bring a copy of the proceedings.

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